

UNITED STATES DISTRICT COURT

for the

WESTERN District of TEXAS

United States of America

v.

[REDACTED] (1) and
VERONICA SOLIS (2)

Case No. SA-23-MJ-00359

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of between August 1, 2019 and August 31, 2021 in the county of Bexar in the
Western District of Texas, the defendant(s) violated:*Code Section**Offense Description*

Title 18 U.S.C. 2251(a)

Sexual Exploitation of Children

Maximum penalties:

Man. Min. 15 years; Max. 30 years Lifetime Supervised Release,
\$250,000 fine, \$100 Special Assessment, \$5,000 JVT A, Up to \$50,000
18 USC 2259A, Restitution, Forfeiture, Registration as a Sex Offender.

This criminal complaint is based on these facts:

See attached affidavit

☒ Continued on the attached sheet.Gloria M. Gutierrez Digitally signed by Gloria M. Gutierrez
Date: 2023.03.09 16:55:05 -06'00'*Complainant's signature*

Gloria Gutierrez, FBI Special Agent

Printed name and title

- ☐
- Sworn to before me and signed in my presence.
-
- ☒
- Sworn to telephonically and signed electronically.

Date: 03/10/2023City and state: San Antonio, Texas*Judge's signature*

Elizabeth S. Chestney, U.S. Magistrate Judge

Printed name and title

COMPLAINT AFFIDAVIT

I, Gloria M. Gutierrez, being duly sworn, depose and state that:

1. I am a Special Agent ("SA") of the Federal Bureau of Investigation ("FBI") and have been so employed since November 2019. I am currently assigned to the FBI San Antonio Field Office, Child Exploitation and Human Trafficking Task Force. I investigate crimes against children, including possession, distribution, receipt, and production of child pornography, the sexual exploitation of children, and trafficking. I have received particularized training in the investigation of computer-related crimes, social networking, and online (i.e. Internet based) crimes against children.

2. This affidavit is being submitted in support of an Application for a Criminal Complaint for [REDACTED] date of birth: XX/XX/[REDACTED] address: [REDACTED]
[REDACTED] and **VERONICA SOLIS**, date of birth: XX/XX/1989; address XXX Elm St. Apartment X, Valparaiso, Indiana 46383.

3. The factual information supplied in this affidavit is based upon your Affiant's own investigation of this matter, as well as information provided by other law enforcement officers. Since this affidavit is submitted for the purpose of securing a complaint, it does not include every fact known to the Affiant concerning this investigation. The Affiant has set forth facts that she believes establish probable cause to believe that [REDACTED] and **VERONICA SOLIS** have violated the provisions of Title 18, U.S.C., Section 2251(a) – Sexual Exploitation of Children.

4. On or about December 25, 2022, an FBI Online Covert Employee (OCE), assigned to the FBI's Washington Field Office (WFO), entered the Internet based Wickr application and began interacting with members of a group operating on that platform. The OCE found the

individuals from this group were operating in coordination to maintain a platform dedicated to the distribution and possession of child pornography and discussion related to the sexual exploitation of children.

5. Between December 25, 2022, and January 4, 2023, a Wickr account user posted numerous images depicting a prepubescent female, both clothed and unclothed. The prepubescent female, hereinafter referred to as CV1, appeared to be approximately 10 years old. In one of the images, referred to as Image #1, the minor female's bare vagina is the focal point of the image. CV1 has been identified as a 10-year-old female child.

6. On January 3, 2023, the same Wickr user posted multiple images to the same Wickr group. One of the images appears to be CV1, when she was about five or six years old, lying on her back wearing a dress with her panties visible. Another image depicts a close-up view of a minor female child's vaginal area with panties on. An additional image, hereafter referred to as Image #2, depicts a prepubescent female wearing a burgundy long-sleeved shirt, lying on her back, pulling down her panties to expose her bare vaginal area. During the text conversation between the Wickr user and other members of the Wickr group, the Wickr user stated they live in Indiana.

7. On January 4, 2023, a search warrant was obtained and executed at the residence of [REDACTED] and VERONICA SOLIS in Valparaiso, Indiana. During the execution of the search warrant, numerous electronic devices were seized, to include a Nokia brand cellular telephone, IMEI 359001090565776, and a LG brand cellular telephone, IMEI 355437101069149. Present in the residence were CV1; a 13-year-old male, referred to hereafter as CV2; an 11-year-old male, referred to hereafter as CV3; and a 7 year-old female, referred to hereafter as CV4.

8. On January 6, 2023, CV1, CV2, CV3, and CV4 were forensically interviewed at a child advocacy center in Indiana. CV1 was shown multiple child pornography images, including the ones previously mentioned in this affidavit, that were distributed to the FBI OCE and other members of the child pornography Wickr group. CV1 identified herself in the images shown to her from the aforementioned Wickr chat. CV1 advised that [REDACTED] likes taking photos and videos of CV1 both when she's wearing underwear and when she's not. CV1 stated [REDACTED] or SOLIS produced Image #2, the child pornography image previously detailed in paragraph 6.

9. On January 24, 2023, FBI Indianapolis obtained a federal search warrant to search the contents of the electronic devices seized from [REDACTED] and SOLIS's residence. A forensic review of the Nokia cellular telephone revealed user attributes that indicate SOLIS is the user of this Nokia cellular telephone. The location data in the device shows SOLIS's primary location between May 2019 and May 2021 was in the San Antonio, Texas area. A forensic review of the LG cellular telephone yielded attributes indicating [REDACTED] was the user of the device.

10. On February 28, 2023, FBI Indianapolis contacted FBI San Antonio and requested immediate investigative assistance on this matter. FBI Indianapolis advised that deleted child pornography images and videos of CV1 had been recovered from the Nokia and LG cellular telephones seized from [REDACTED] and SOLIS's residence in Valparaiso, Indiana, and that information contained within those devices indicate SOLIS and [REDACTED] were engaging in sexual interactions with CV1, CV2, CV3, and CV4, during the time they resided in San Antonio, Texas. The forensic data associated with the child pornography files depicting CV1 that were recovered from the Nokia and LG cellular telephones, indicate the files were produced in 2019 by SOLIS and [REDACTED] at a time that they resided in the San Antonio, Texas, area.

11. Affiant has reviewed numerous child pornography files depicting CV1 that were

recovered from the Nokia and LG cellular telephones seized from [REDACTED] and SOLIS's residence in Valparaiso, Indiana. The following is a summary of some of these files:

- a. VID-20190902-WA0001 (1).mp4 – a 51-second video depicting CV1, a nude pre-pubescent female, approximately six years old, laying on her back on a bed with white pillows and sheets. The minor female is manually manipulating with both hands a Caucasian adult male's penis. The adult male is kneeling between the minor female's spread legs and this same individual appears to be operating the device that is producing this video. The adult male has two prominent moles on the back of his left hand approximately 1-2 inches below his minimus phalanges, commonly referred to as "pinky" finger, and has another prominent mole between his ring and middle finger. The adult male can be heard stating, "Yes baby. Stroke it baby." The male's left hand is seen touching the minor female's bare vagina and the minor female recoils from the adult male's hand and is heard stating "Oww. Oww." The adult male advises the minor female, "Okay. That's okay." The adult male can be heard later in the video advising the minor female as she manually manipulates his penis, "Not with your nails. Use your hands." The minor female has a prominent mole on her right cheek approximately one inch below her right eye. The minor female also has a prominent mole on her left cheek and one near her right clavicle and she has weathered lavender nail polish on her fingernails.
- b. IMG-20190902-WA0000 (1).jpg – a digital image, recovered from the Nokia cellular telephone, depicting CV1, at approximately six years old, laying on a bed with white sheets and white pillows. The minor female's legs are spread and her

bare vagina is being prominently displayed. The minor female has lavender nail polish on her fingernails.

Affiant is aware that the formatting of this file's file name is consistent with this file having been downloaded via the WhatsApp texting application operating on a device using the Android operating system as files downloaded via WhatsApp to this type of device will detail whether the file is an image, denoted by "IMG", a video, denoted by "VID", the date of the download, a "WA" designator signifying it is a WhatsApp generated file, followed by a four digit number that appears to be the order in which that file was downloaded to that device's operating system. As such, the file VID-20190902-WA0001 (1).mp4 is a video downloaded by a WhatsApp user on September 2, 2019. Likewise, the file IMG-20190902-WA000 (1).jpg is an image file downloaded by a WhatsApp user on September 2, 2019.

- c. 20190801_173505.mp4 – a 7 second video, recovered from the Nokia cellular telephone, depicting a dark-skinned right hand, appearing to be that of an adult female, rubbing the bare vagina of a pre-pubescent female with her index finger. The bare vagina is the focal point of the video and the device producing the video is zoomed in closely to that. The pre-pubescent female is lying on a dark blue sheet. The pre-pubescent female can be heard crying in the video. A distinctive mole, scar, or birth mark can be seen on the hand near the thumb of the adult female. The file name 20190801_173505.mp4 is consistent with that file being produced/saved by a device on August 1, 2019.
- d. VID-20190821-WA0006.mp4 – this file is identical to 20190801_173505.mp4, described above. The file name indicates that VID-20190821-WA0006.mp4 is a

video file downloaded to the LG cellular telephone on August 21, 2019, via a WhatsApp application resident on that device.

- e. 20190801_173459.jpg – a digital image, recovered from the Nokia cellular telephone, depicting CV1's bare vagina. The same dark blue sheet captured in 20190801_173505.mp4 can be seen underneath the pre-pubescent female's bare vagina. The file name 20190801_173505.mp4 is consistent with the file being produced / saved by a device on August 1, 2019.
- f. VID-20190824-WA0000 (1).mp4 – a 24 second video, recovered from the Nokia cellular telephone, depicting a nude heavy-set, Caucasian adult male with a hairy pubic area and legs, lying on his back next to a minor female lying on her right shoulder oriented toward the nude adult male. The child's hand is masturbating the adult male's erect penis. The minor female is wearing a blue, green, white, and mauve colored swimsuit and she has chipping lavender nail polish on her fingernails. Based on the previously detailed WhatsApp file naming nomenclature, Affiant is aware that the file name indicates that VID-20190824-WA0000 (1).mp4 is a video file downloaded by a WhatsApp user on August 24, 2019.
- g. IMG-20190824-WA0001 (1).jpg- a digital image depicting a pre-pubescent female wearing a blue, green, white, and mauve colored swimsuit identical to the one being worn by the minor female in VID-20190824-WA0000 (1).mp4, lying on her back. A Caucasian adult male can be seen standing between the pre-pubescent female's bare legs. The adult male is pulling the swimsuit to the side with his left hand exposing the pre-pubescent female's vagina. The adult male's

left hand bears distinct moles/birth marks. The adult male's erect penis can be seen next to the pre-pubescent female's vagina. Based on the previously detailed WhatsApp file naming nomenclature, Affiant is aware that the file name indicates that IMG-20190824-WA0001 (1).jpg is an image file downloaded by a WhatsApp user on August 24, 2019.

12. Affiant located numerous posts on [REDACTED] [REDACTED] Instagram account and observed on [REDACTED] left hand the same three moles that can be observed on the adult male's left hand that can be seen touching CV1's bare vagina in VID-20190902-WA0001 (1).mp4. In addition, the skin tone and color of body hair of the adult male in this video is consistent with [REDACTED] as depicted in the images and videos displayed on this Instagram account.

13. An ongoing forensic review of the LG cellular telephone has recovered numerous text-based conversations, or chats, that were conducted within an encrypted Internet based texting application named WhatsApp. These WhatsApp chats were conducted between [REDACTED] and SOLIS between August 18, 2019, and August 24, 2019, and detail how [REDACTED] and SOLIS were conducting sexual interactions with CV1, CV2, CV3, and CV4. The chats also indicate that during these chats, [REDACTED] requested child pornography be produced by SOLIS that depicts CV1; SOLIS also requested child pornography be produced by [REDACTED] that depicts CV1. Child pornography files that appear to depict CV1 are transmitted shortly after these requests are made. Additionally, the chat indicates [REDACTED] and SOLIS planned to meet in Schertz, Texas, on or about August 24, 2019. [REDACTED] and SOLIS discussed sexually exploiting and producing child pornography of CV1 during that meet. The following are relevant parts of the chat:

- a. On 8/21/2019 at 7:21 a.m. [REDACTED] says "Gods I need to cum. Finger her and send me a pic of you inside her" to which SOLIS replies "OK see if she'll let me. Daddy

u NEED to taste her asap". [REDACTED] states "I will... when I'm there". SOLIS then replies "it's delicious daddy and on 08/21/2019 at 7:30:84 am sends a child pornography image depicting the bear vagina and anus of a pre-pubescent female child believed to be CV1. [REDACTED] responds "take another picture of her for me. Full shot baby. I wanna see all of her... I'm so hard. I'm stroking my cock."

- b. On 8/21/2019 at 11:26:47 pm, SOLIS sent a child pornography video that depicts a close-up of an adult female hand bearing a distinct mark or mole, rubbing the bear vagina and anus of a pre-pubescent female child. The child can be heard screaming in pain multiple times. This video is identical to 20190801_173505.mp4 and VID-20190821-WA0006.mp4 which were found on both the Nokia phone as well as the LG phone seized from the residence of [REDACTED] and SOLIS.
- c. On 8/24/2019 at 10:15:53 pm, [REDACTED] sent a video depicting a nude heavy-set Caucasian adult male lying next to a minor female wearing a multi-colored swimsuit. The minor female can be seen masturbating the adult male's erect penis. This video is identical to VID-20190824-WA0000 (1).mp4, that was found on the Nokia phone seized from [REDACTED] and SOLIS's residence.
- d. Also on 08/24/2019, [REDACTED] sent a child pornography image depicting a close-up of an adult male's erect penis touching the exposed vaginal region of a pre-pubescent female child as the adult male's hand holds the child's swimsuit to one side. This image was located on both the Nokia and LG phones and is the same as IMG-20190824-WA0001 (1).jpg detailed above.

14. An ongoing forensic review of the Nokia cellular telephone has also recovered numerous WhatsApp "chats" conducted between SOLIS and [REDACTED]

15. On February 23, 2020, a WhatsApp text “chat” recovered from this Nokia cellular telephone begins with the first contents within the conversation being three images sent by [REDACTED]. Two images depict an exposed naked adult male penis. The third image depicts a close-up image of [REDACTED] face.

16. Affiant is aware that neither Nokia brand nor LG brand cellular telephones are manufactured in the state of Texas.

17. Multiple sources of information, including geolocation data from SOLIS’s Nokia cellular telephone, San Antonio Police Department (SAPD) records, Texas Department of Family and Protective Services (TXDFPS) records, San Antonio Southeast Independent School District (SEISD) records, Department of Public Safety (DPS) records, open source, paid-for-service databases, and a witness interview, indicate [REDACTED] and SOLIS resided in the San Antonio, Texas area for a vast majority of their life, and resided as a romantic couple in the San Antonio, Texas, area as early as 2018 until late 2021, at which point they relocated to Indiana. In addition, open-source records indicate [REDACTED] and SOLIS obtained an informal marriage license in Bexar County on September 3, 2019, with a listed marriage date of September 2, 2019.

18. Based on the aforementioned facts, your Affiant respectfully submits that there is probable cause to believe that between August 1, 2019, and August 31, 2021, in the Western District of Texas, [REDACTED] and **VERONICA SOLIS**, did knowingly employ, use, persuade, induce, entice and coerce a minor to engage in any sexually explicit conduct for the purpose of producing a visual depiction of such conduct, and that such visual depiction has actually been transported and transmitted using means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce, and were produced

using materials that were shipped and transported in and affecting interstate and foreign commerce, in violation of Title 18, United States Code, Section 2251(a).

FURTHER AFFIANT SAYETH NOT,

Gloria M.
Gutierrez

Digitally signed by Gloria M.
Gutierrez
Date: 2023.03.09 16:56:42
-06'00'

Gloria M. Gutierrez, Special Agent, FBI
San Antonio, Texas

Sworn to telephonically and signed electronically on March 10, 2023.



THE HONORABLE ELIZABETH S. CHESTNEY
UNITED STATES MAGISTRATE JUDGE